

Patent  
Attorney's Docket No. 033136-226

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of

ANTHONY E. BOLTON, et al.

Application No.: 10/002,634

Filed: December 5, 2001

For: **INFLAMMATORY CYTOKINE  
SECRETION INHIBITION**

Group Art Unit: 1645

**Examiner:** Unassigned

Confirmation No.: 1971

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p#5

**INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Sir:**

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

**BURNS, DOANE, SWECKER & MATHIS, L.L.P.**

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
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By: Lorna L. Tanner  
Lorna L. Tanner  
Registration No. 50,782

Date: August 27, 2002



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**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

**U.S. Patents**

1. U.S. Patent No. 4,968,483, issued to Muller, et al.

**Other Publications**

2. Cannon, et al. "Acute Phase Responses and Cytokine Secretion in Chronic Fatigue Syndrome." *J. Clin. Immunol.* 19(6): 414-421 (1999).
3. Kondo, et al. "Lymphocyte function-associated antigen-1 is required for maximum elicitation of allergic contact dermatitis." *Br. J. Dermatol.* 131: 354-359 (1994).
4. Kondo, S., et al. "Contribution of the CD28 Molecule to Allergic and Irritant-Induced Skin Reactions in CD28-/-Mice." *J. Immunology.* 4822-4829 (1996).
5. Gupta, S., et al. "Increased production of interleukin-6 by adherent and non-adherent mononuclear cells during 'natural fatigue' in patients with chronic fatigue syndrome." *Int. J. Mol. Med.* 3(2): 209-213 (1999).

6. Gupta, S., et al. "Cytokine Production by Adherent and Non-Adherent Mononuclear Cells in Chronic Fatigue Syndrome." *J. Psychiatr. Res.* 3191: 149-156 (1997).
7. Pall, M.L. "Elevated, sustained peroxynitrite levels as the cause of chronic fatigue syndrome." *Med. Hypotheses*. 54(1): 115-125 (2000).

The documents are being submitted before the first Office Action on the merits, therefore no fee or statement is required under 37 C.F.R. § 1.97(b). In the event that an Office Action is mailed prior to receipt of this paper, the Commissioner is hereby authorized to charge the requisite fees to Deposit Account No. 02-4800.

By citing the above references, Applicants do not acquiesce or admit that any of these documents are "prior art" under 35 U.S.C. Applicants specifically reserve the right, where appropriate, to antedate any of the cited documents by an appropriate showing under 37 C.F.R. §1.131, §1.604, §1.608 or any other suitable means.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:



Lorna L. Tanner

Registration No. 50,782

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Alexandria, Virginia 22313-1404  
(650) 622-2300

Date: August 27, 2002

Substitute for form 1449A/PTO

ATTORNEY'S DKT No.  
033136-226APPLICATION NO.  
10/002,634

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT  
Anthony E. Bolton, et al.FILING DATE  
December 5, 2001GROUP  
1645

## U.S. PATENT DOCUMENTS

Examiner Initials	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication (MM-DD-YYYY)
	Number	Kind Code (if known)		
	4,968,483		Muller, et al.	

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## FOREIGN PATENT DOCUMENTS

Examiner Initials	Foreign Patent Document		Country	Date of Publication (MM-DD-YYYY)	Translation	
	Number	Kind Code (if known)			Yes	no

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	CANNON, et al. "Acute Phase Responses and Cytokine Secretion in Chronic Fatigue Syndrome." <i>J. Clin. Immunol.</i> 19(6): 414-421 (1999).
	KONDO, et al. "Lymphocyte function-associated antigen-1 is required for maximum elicitation of allergic contact dermatitis." <i>Br. J. Dermatol.</i> 131: 354-359 (1994).
	KONDO, S., et al. "Contribution of the CD28 Molecule to Allergic and Irritant-Induced Skin Reactions in CD28 -/- Mice." <i>J. Immunology.</i> 4822: 157 (1996).
	GUPTA, S., et al. "Increased production of interleukin-6 by adherent and non-adherent mononuclear cells during 'natural fatigue' in patients with chronic fatigue syndrome." <i>Int. J. Mol. Med.</i> 3(2): 209-213 (1999).
	GUPTA, S., et al. "Cytokine Production by Adherent and Non-Adherent Mononuclear Cells in Chronic Fatigue Syndrome." <i>J. Psychiatr. Res.</i> 3191: 149-156 (1997).
	PALL, M.L. "Elevated, sustained peroxynitrite levels as the cause of chronic fatigue syndrome." <i>Med. Hypotheses.</i> 54(1): 115-125 (2000).
Examiner Signature	Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.